

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
DECEMBER 2, 2014**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on December 2, 2014, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan Gardner, Commissioner Victor Iverson, County Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Nicholle M. Felshaw.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for November 19, 2014, through December 2, 2014
- Consideration of Regular Commission Meeting Minutes of October 7, 2014 and October 21, 2014; and Special Commission Meeting Minutes of October 21, 2014 and October 29, 2014
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement (14):
Tommy and Jane Foster, S/N H-SURS-1-27; Jenny Lambert, A/N 0618697;
Edward and Beverly Christy, S/N SG-SUR-29-1731; Phillip and Janet Dunne,
A/N 0694490; Joe and Gail Harris, A/N 0474430; Muriel Gifford, S/N LV-LVE-
11; Lars Christensen, A/N 0281850; Wanda Bushnell, S/N SG-BCC-3-3-3441;
Maurine Roberts, S/N LV-OMS-1-18; Charles Oliphant, S/N SG-5-3-16-3202;
Elna Worthington, A/N 0555592; Nancy Liptak, A/N 0444276; Karen Marion,
S/N SG-SGE-4-38; Isaac Duran, A/N 0543275
- Consideration of Application for Settlement or Deferral of Property Taxes (1):
Gaetane Abandonato, S/N H-3403-D-1 and S/N H-3403-D-3-A
- Consideration of Renewal of Standard Cooperative Agreement for Utah State
University Extension Educational Work for 2015
- Consideration of Renewal of Consulting Agreement between Wendy Sandberg
and Washington County for the 2015 Washington County Fair
- Consideration of Renewal of Consulting Agreement between Washington County
and Intermountain Public Land Consultant / Cornell Christensen for 2015

- Consideration of Renewal of Public Defender Agreements for 2015 between Washington County and: Aric Cramer (2), Benjamin Gordon, Leah Jensen, Gary Kuhlmann, Michael Lastowski, Robert Latham, Travis Marker, Michael Rawson, Douglas Terry (2), Jay Winward, and Lamar Winward
- Consideration of Washington County Holidays for 2015
- Consideration of Regular Commission Meeting Schedule for 2015
- Acknowledgment of Publishing: Notice of Adoption of Ordinance No. 2014-1042-O on Saturday, November 22, 2014

MOTION: Motion by Commissioner Iverson to Approve the Consent Agenda as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) / 2015 FISCAL YEAR

Chairman Eardley opened the Public Hearing for the Community Development Block Grant (CDBG) Small Cities Program for FY 2015 and stated that this hearing is being called to consider potential projects for which funding may be applied under the 2015 Community Development Block Grant Program. It was explained that the grant money must be spent on projects benefiting primarily low and moderate income persons. The Five County Association of Government in which Washington County is a member, is expecting to receive approximately \$700,000 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Guide and interested persons can review it at any time. Chairman Eardley read several of the eligible activities listed including, (Examples such as: Construction of public works and facilities, i.e.: water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Also eligible are loan programs for private businesses which would then hire low income persons and the program can also pay for housing rehabilitation for low income homeowners or for persons owning rental housing for lower income persons). Chairman Eardley indicated that in the past Washington County has received five (5), which covered ADA Improvements/Public Buildings for \$80,000, Enterprise Senior Center for \$48,646, Gunlock Special Service District/Water for \$150,000, Hurricane Senior Center/Meals On Wheel Vehicles for \$144,109, and \$150,000 for the Northwestern Gunlock Fire Station. A complete list of CDBG projects funded for Washington County can be found on the Five County AOG website. The County has handed out its capital investment plan as part of the regional "Consolidated Plan." This list shows which projects the County has identified as being needed in the community. It was asked that any persons with questions, comments or suggestions during the hearing please identify themselves by

name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

Washington County Internal Auditor Trevor Coombs presented two (2) potential applicants:

- Angell Springs Special Service District, culinary water project – loop water line, one hundred fifty thousand dollars (\$150,000);
- Northwestern Special Service District, Brookside Fire Station remodel, one hundred fifty thousand dollars (\$150,000)

Mr. Coombs explained that applicants for CDGB funding must have a sponsor; in this case Washington County is the sponsor.

Mr. Dan Dodds, representing Angell Springs Special Service District, requested this grant to tie the fire systems into a loop with no dead ends. There are currently three (3) areas where there are dead ends in the water system; once tied together, there would be a continuous flow which would prevent rusty water, conserve water, and improve the health of the people in the valley. A survey has been done, and approximately three thousand (3,000) feet of pipe would be required for this project. The total cost to complete the job, including all labor and materials, would be one hundred fifty thousand dollars (\$150,000).

Seeing no one else come forward, Chairman Eardley closed the Public Hearing.

CONSIDERATION OF CAPITAL IMPROVEMENT LIST (CIP) 2015 / ONE YEAR ACTION PLAN FOR PROJECTS READY TO APPLY FOR FUNDING

Mr. Coombs mentioned that the Capital Improvement List is a method by which the County prioritizes expenditures for Capital Improvement Projects for the upcoming year. For the 2015 Capital Improvement List, Angell Springs is the highest priority. The Northwestern Special Service District for the Brookside Fire Station remodel is also on the list for 2016 if they want to apply for funding at that time.

MOTION: Motion by Commissioner Gardner to Recommend Approval of the Capital Improvement List (CIP) with modification from two hundred fifty thousand dollars (\$250,000) to one hundred fifty thousand dollars (\$150,000) on the Angell Springs Project. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF ORDINANCE NO. 2014-1043-O, AN ORDINANCE REZONING A CERTAIN PORTION OF WASHINGTON COUNTY IN PINE VALLEY FROM A-20 ZONE TO RE-40 ZONE

Commissioner Gardner explained that this Ordinance was recommended by the Planning Commission, and he suggested accepting their recommendation.

MOTION: Motion by Commissioner Gardner to Adopt Ordinance No. 2014-1043-O, an Ordinance Rezoning a Certain Portion of Washington County in Pine Valley from A-20 Zone to RE-40 Zone. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF ORDINANCE NO. 2014-1044-O, AN ORDINANCE REZONING A CERTAIN PORTION OF WASHINGTON COUNTY IN VEYO FROM RA-1 ZONE TO C-3 ZONE

Washington County Planner Scott Messel commented that this parcel is on the northeast corner of the intersection between the fire station and the highway as it heads north. It has been zoned residential and the property owner would like to rezone for commercial. The Planning Commission unanimously recommended approval. Some residents who attended the Planning Commission Meeting were concerned about the placement of the water meter in relation to a new Family Dollar Store that is planned in this area.

Deputy County Attorney Eric Clarke stated that his impression was that the residents attended the meeting to verify that a Family Dollar Store is, in fact, going to be built in that area. There were no strong objections to the rezoning application.

MOTION: Motion by Commissioner Iverson to Adopt Ordinance No. 2014-1044-O, an Ordinance Rezoning a Certain Portion of Washington County in Veyo from RA-1 Zone to C-3 Zone. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Iverson, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1861, A RESOLUTION OF THE LEGISLATIVE BODY OF WASHINGTON COUNTY APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN WASHINGTON COUNTY AND THE REDEVELOPMENT AGENCY OF THE CITY OF ST. GEORGE

Gary Esplin, St. George City Manager addressed the Commission about the economic development and the opportunities in the Fort Pierce Business Park to create a proposed Community Development Area (CDA). A CDA is an entity or a district that, by Interlocal

Agreement with the other taxing agencies, allows the city to use the taxes the new company will generate for a specific period of time, for certain specified uses which would offer an incentive for them to maintain infrastructure that is needed to facilitate that development.

St. George City has proposed fifty seven point zero four (57.04) acres for the new CDA. Industrial Brush and Environmental Stone are new businesses in this proposed 57.04 acre CDA and incentives are proposed for them. The CDA would not have any effect on the other existing businesses unless they expand or qualify for an incentive in the future. The new tax revenue would go into the CDA for fifteen (15) years to be used to offer tax incentives. All property tax entities have a choice to participate or opt out through the Interlocal Agreement.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1861, a Resolution of the Legislative Body of Washington County Approving an Interlocal Cooperation Agreement between Washington County and the Redevelopment Agency of the City of St. George. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1862, A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN WASHINGTON COUNTY AND SOUTHWEST UTAH PUBLIC HEALTH DEPARTMENT CONCERNING THE CLOSED POD PROVISION OF EMERGENCY MEDICAL PROPHYLAXIS

Washington County Sheriff Cory Pulsipher mentioned this allows County employees, such as those in the Sheriff's Office, to receive medication if there is an outbreak of some kind. The medication would be delivered to them to be distributed to the employees, as well as to the inmates in jail without requiring outside people to come in and deal with those issues in house. This will allow the Sheriff's Office to maintain enough staff to keep the facilities operating in an emergency.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1862, a Resolution Approving a Memorandum of Understanding between Washington County and Southwest Utah Public Health Department concerning the Closed POD Provision of Emergency Medical Prophylaxis. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1863, A RESOLUTION APPROVING FIRST AMENDMENT TO CONTRACT BETWEEN WASHINGTON COUNTY, UTAH, AND TELMATE, LLC, FOR INMATE PHONE AND VIDEO VISITATION SYSTEMS AND SERVICES AT PURGATORY CORRECTIONAL FACILITY

Undersheriff Bart Bailey explained that this Resolution approves an amendment to the contract with Telmate, entered into last year.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1863, a Resolution Approving First Amendment to Contract between Washington County, Utah, and Telmate, LLC, for Inmate Phone and Video Visitation Systems and Services at the Purgatory Correctional Facility. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Iverson, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1864, A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE WASHINGTON COUNTY SHERIFF'S OFFICE

Undersheriff Bart Bailey stated that the County Attorney's Office and the Sheriff's Office have been working on updating the fee schedule for services rendered at the Sheriff's Office. The paper service costs at the Sheriff's Office are significant, requiring a part-time Deputy and other Deputies as needed.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1864, a Resolution Adopting a Fee Schedule for the Washington County Sheriff's Office. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1865, A RESOLUTION APPROVING ALLOCATION OF OTHER SPECIES FUNDS UNDER THE HABITAT CONSERVATION PLAN FOR AN ENDOWMENT TO HELP CONSERVE WHITE DOME PROPERTY ACQUIRED BY UTAH DEPARTMENT OF TRANSPORTATION FOR MITIGATION FOR THE SOUTHERN PARKWAY

Dana Meier with the Utah Department of Transportation stated that UDOT began construction on the Southern Parkway in 2007 after purchasing approximately one hundred sixty (160) acres of property to mitigate impacts to threatened and endangered species in the corridor. One hundred and forty (140) acres of those are contiguous with Nature Conservancy property at White Dome. UDOT applied to the Habitat Conservation

Plan (HCP) for other species funding to create an endowment for the Nature Conservancy to manage those one hundred forty (140) acres. Therefore, the request is for seventy five thousand dollars (\$75,000) which would be matched with UDOT's twenty five thousand dollars (\$25,000) to create an endowment of one hundred thousand dollars (\$100,000) for the Nature Conservancy.

Cameron Rognan from the HCP stated that it was required to spend one million nine hundred and fifty thousand dollars (\$1.95 million) to support other species, including threatened and endangered species or those that could become threatened and endangered in the future. So far they have only spent about one point three million dollars (\$1.3 million). With their permit expiring in approximately a year, this is a good opportunity to utilize their funding.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1865, a Resolution Approving Allocation of Other Species Funds Under the Habitat Conservation Plan for an Endowment to Help Conserve White Dome Property Acquired by Utah Department of Transportation for Mitigation for the Southern Parkway. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

COMMISSIONERS' REPORT

Commissioner Gardner reported that on Monday, the State of Utah released the report that it had commissioned to study the economics of the transfer of Public Lands that was passed by the Legislature in 2012. Economists from the University of Utah, Utah State University, and Weber State University participated in preparing that report at a cost of approximately four hundred and fifty thousand dollars (\$450,000). The conclusion of the report indicated that Utah can manage Public Lands very well and that it would be very profitable to the State to take over that management. The resulting royalties could greatly enhance the funding of education and other programs in the State. An additional benefit would be healthy forests and better access to our lands.

PUBLIC WORKS OR ROAD BUSINESS

No items were presented today.

COUNTY DEVELOPMENT AND PLANNING BUSINESS / SCOTT MESSEL REVIEW OF ITEMS FROM THE NOVEMBER 18, 2014, PLANNING COMMISSION:

Conditional use extension: review of proposed telecommunication tower site located on a portion of parcel 7516-a, located at approximately 1500 South on the west side of Dixie Drive; zoned A-10; Orwin & Velda Gubler/Intellisites LLC/Debbie Depompei, applicants.

Scott Messel mentioned that in the November Planning Meeting there was a conditional use extension granted to the communication towers site that Insite Telecommunications got approval for about a year ago, just off Dixie Drive and about 1500 South on property that is owned by the Gublers. Because no work had begun on the site, they requested an extension, which was granted by the Planning Commission.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:40 p.m.

NICHOLLE M. FELSHAW
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN